

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANY DEPINA, et. al.,

Plaintiffs,

v.

AYANNA S. RICHARDSON, et. al.,

Defendants.

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Civil Action No. 11-11552-JLT

ORDER

January 2, 2013

TAURO, J.

This court hereby orders that this case is dismissed for lack of subject matter jurisdiction.

A federal district court lacking subject matter jurisdiction has a duty to dismiss the case sua sponte.¹ This court can find no basis for federal subject matter jurisdiction in the Complaint [#1] or in Plaintiffs' Response [#37, 38] to this court's Order to Show Cause [#34]. The citizenship of the parties is not completely diverse, and Plaintiffs bring no claims under federal law. Rather, Plaintiffs bring eight claims under Massachusetts statutory and tort law. Because this court does not have original jurisdiction over any claims in the Complaint, this court may not exercise supplemental jurisdiction over the state law claims. Accordingly, this case must be dismissed.

THIS CASE IS CLOSED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge

¹ Fed. R. Civ. P. 12(h)(3).